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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/940,719	08/29/2001	Takahiro Yamada	02-060	5809

23400 7590 09/20/2002

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WASHINGTON, DC 20036

EXAMINER

LAM, THANH

ART UNIT	PAPER NUMBER
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2834

DATE MAILED: 09/20/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.
09/940,719

Applicant(s)
Yamada et al.

Examiner
Thanh Lam

Art Unit
2834



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on _____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- *See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s). 2 6) ☐ Other:

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DETAILED ACTION

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-12 are rejected under 35 U.S.C. 102(b) as being anticipated by Yamaguchi et al.

Regarding claim 1, Yamaguchi et al. disclose a brush holding device comprising a dielectric resin circuit board (8) and at least one metal brush holder (7) secured to said circuit board at its base portion, said circuit board being secured to a motor housing (col. 4, lines 40-41), each said brush holder including a receiving recess that receives a brush (4) and a spring for urging said brush against a commutator (3), wherein one of said each brush holder and said circuit board or said housing has at least one engaging portion (7b) integrally formed therein for

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achieving resilient engagement between said each brush holder and said circuit board or said housing.

Regarding claim 2, Yamaguchi et al. disclose said at least one engaging portion achieves said resilient engagement between a predetermined part of a top portion of said each brush holder and said circuit board or said housing.

Regarding claim 3, Yamaguchi et al. disclose said at least one engaging portion achieves said resilient engagement between a predetermined part of a radially outer portion of said each brush holder and said circuit board or said housing.

Regarding claim 4, Yamaguchi et al. disclose said at least one engaging portion achieves said resilient engagement between a predetermined part of a radially outer portion of said each brush holder and said circuit board or said housing.

Regarding claim 5, Yamaguchi et al. disclose said at least one engaging portion achieves said resilient engagement between said circuit board or said housing and at least one of opposed circumferential sides of said each brush holder.

Regarding claim 6, Yamaguchi et al. disclose said at least one engaging portion achieves said resilient engagement between a predetermined part of said each brush holder, which is located at a trailing side thereof in a rotational direction of said commutator, and said circuit board or said housing.

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Regarding claim 7, Yamaguchi et al. disclose said at least one engaging portion includes at least one engaging piece that is integrally formed in said each brush holder and exerts resilient force, said at least one engaging piece resiliently engaging against said circuit board.

Regarding claim 8, Yamaguchi et al. disclose said at least one engaging portion includes at least one engaging piece that extends from a top portion of said each brush holder and resiliently engages against a corresponding radially outer portion of said circuit board or a corresponding radially outer portion of said housing.

Regarding claim 9, Yamaguchi et al. disclose said at least one engaging portion includes a plurality of engaging pieces that extend radially inwardly from a portion of said circuit board or a portion of said housing located radially outward of said each brush holder toward a radially outer side of said each brush holder to resiliently engage against said radially outer side of said each brush holder, each one of said plurality of engaging pieces having a decreasing width that decreases radially inwardly.

Regarding claim 10, Yamaguchi et al. disclose said at least one engaging portion includes two engaging pieces that extend radially outwardly from opposed circumferential sides of said each brush holder and that resiliently engage against a portion of said circuit board or a portion of said housing located radially outward of said each brush holder, each one of said two engaging pieces having a height substantially the same as that of said each brush holder.

Regarding claim 11, Yamaguchi et al. disclose said at least one engaging portion includes two engaging pieces that extend circumferentially outwardly away from top portions of opposed

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circumferential sides of said each brush holder, respectively, and that resiliently engage against radially outer portions of said circuit board or radially outer portions of said housing, respectively.

Regarding claim 12, Yamaguchi et al. disclose said at least one engaging portion includes two engaging pieces that extend circumferentially outwardly away from top portions of opposed circumferential sides of said each brush holder, respectively, and that resiliently engage against portions of said circuit board or portions of said housing, respectively, said portions of said circuit board or said portions of said housing being located adjacent to said opposed circumferential sides of said each brush holder, respectively.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thanh Lam whose telephone number is (703) 308-7626. The fax phone number for this Group is (703) 305-3432.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-0656.

Thanh Lam

Patent Examiner

Sept. 17, 2002

A handwritten signature in black ink, appearing to read 'Thanh Lam', is written over the printed name and title.